

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FILED
IN CLERKS OFFICE

2004 OCT -6 P 1:44

TOUCHPOINT SOLUTIONS, INC.,

Plaintiff,

v.

EASTMAN KODAK COMPANY,

Defendant.

U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 04-11014-NMG

[PROPOSED] SCHEDULING ORDER

In accordance with the Court's instructions at the Preliminary Injunction Hearing on October 1, 2004, Plaintiff TouchPoint Solutions, Inc. ("TouchPoint") submits this [Proposed] Scheduling Order.

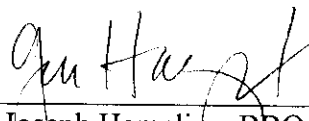
October 15, 2004	Deadline for amending pleadings
December 3, 2004	Deadline for completion of fact discovery Deadline for expert disclosures by TouchPoint
December 6, 2004	Deadline for filing dispositive motions
December 10, 2004	Deadline for expert disclosures by Kodak
December 17, 2004	Deadline for completion of expert discovery
December 20, 2004	Deadline for opposing dispositive motions
January 10, 2005	Trial

To accommodate the proposed expedited schedule, the parties agree that discovery responses will be exchanged within twenty (20) days of service of requests for documents and/or interrogatories.

Respectfully submitted,

TOUCHPOINT SOLUTIONS, INC.,

By its attorneys,



H. Joseph Hameline, BBO #218710

Geri L. Haight, BBO #638185

Mintz, Levin, Cohn, Ferris,

Glovsky & Popeo, P.C.

One Financial Center

Boston, MA 02111

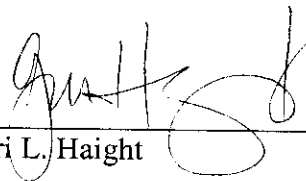
617-542-6000

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of October 2004, I caused the foregoing *[Proposed]* *Scheduling Order* to be served by hand-delivery or by fax on the following:

Nicholas G. Papastavros, Esquire (by hand)
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110

Robert Calihan, Esquire (by fax)
Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14603



Geri L. Haight